

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

August 5, 2002

12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, August 5, 2002 at 12:15 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----5.

ABSENT: Council Members Alfred T. Dowe, Jr. and C. Nelson Harris-----2.

OFFICERS PRESENT: William M. Hackworth, City Attorney; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting a Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Wyatt and Mayor Smith---5.

NAYS: None-----0.

(Council Members Dowe and Harris were absent.)

At 12:18 p.m., the Mayor declared the meeting in recess to be immediately reconvened in the Emergency Operations Center Conference Room, Room 159, to conduct briefings with regard to curb, gutter and sidewalk, and year end capital maintenance and equipment replacement projects.

At 12:20 p.m., the City Council meeting reconvened in Room 159, with all Members of the Council in attendance.

Also present were Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

BUDGET-CMERP-TAXES: The Director of Finance introduced a briefing on the Capital Maintenance and Equipment Replacement Program (CMERP).

Mr. Hall advised that CMERP is not unique to the City of Roanoke and it is a fairly common practice for localities to designate fund balances at the end of the fiscal year for one time projects, rather than build an expectation into the next years' budget that there will be money left over to build into operations.

He advised that CMERP is determined annually as General Fund balance, less the amounts reserved for encumbrances, which carry forward into the next fiscal year, and \$250,000.00 is reserved for uninsured claims to be transferred in the next fiscal year to the Risk Management Fund; and CMERP is created when revenues out perform estimates and/or there are unspent appropriations at the end of the year. He explained that CMERP is shared with the School Board using the same formula used to share local taxes in the budget process; the School Fund also generates CMERP to the extent that school revenues out perform budget and/or expenditures are less than appropriation amounts; and appropriation by Council is required for utilization of CMERP funds.

For the year ended June 30, 2002, the Director of Finance presented the following unaudited General Fund CMERP figures:

| | |
|--|----------------------------|
| Revenues in Excess of Budgeted Amounts | \$ 936,866.00 |
| Unobligated Appropriations | 3,265,813.00 |
| Less: Reserve for Uninsured Claims | <u>(250,000.00)</u> |
| General Fund CMERP | 3,952,679.00 |
| School Allocation | (723,530.00) |
| City Allocation | <u><u>3,229,149.00</u></u> |

For the year ended June 30, 2002, he presented the following unaudited School Fund CMERP figures:

| | |
|--|-------------------------------|
| Revenues in Excess of (Less Than) budget amounts | (\$1,263,071.00) |
| Unobligated Appropriations | 3,047,516.00 |
| Less: Increase in Workers' Comp. Trust Fund | <u>(5,437.00)</u> |
| School Fund Totals | 1,779,008.00 |
| City Allocation of CMERP | <u>723,530.00</u> |
| Total School CMERP | <u><u>\$ 2,502,538.00</u></u> |

The following revenue recognition methods were reviewed:

Cash Basis - Revenues are recognized only to the extent of receipt of cash.

Full Accrual - Revenues are recorded to the extent they are earned by the end of the fiscal year. An allowance for doubtful accounts is established to the extent any amounts are deemed uncollectible.

Modified Accrual - Revenues are recorded to the extent they are earned by the end of the fiscal year and that collection is made within the period of availability as defined by the local government. Period of availability is often 60 days, although governments may use discretion in establishing a period of availability for revenue recognition criteria.

The following change in revenue recognition criteria was reviewed:

In fiscal year 2002, the City is changing its period of availability under modified accrual accounting to now recognize revenues related to taxes receivable at June 30 and received within 60 days of year end.

Most Virginia localities already record revenues using this methodology. Roanoke is implementing this in fiscal year 2002 concurrent with implementation of GASB 34.

Prior to this, the City accrued utility, prepared food taxes and some sales tax, but did not accrue sales taxes and certain other revenues to the extent allowable and widely practiced.

Impact is an additional \$2.7 million in fund balance (CMERP) for the year ended June 30, 2002.

Financial statements of the City will be restated to reflect this implementation as of July 1, 2001.

Information was provided setting forth the following additional revenue accruals in fiscal year 2002:

| <u>Revenue Name</u> | <u>Additional Amount Accrued in FY02</u> | <u>Basis for Accrual as FY 2002 Revenue and Accounts Receivable</u> |
|---------------------|--|---|
| Real Estate | \$ 295,000.00 | Anticipated collections, net of refunds, in July-Aug related to year end receivables. |
| Personal Property | 632,000.00 | Anticipated collections, net of refunds, in July-Aug related to year end receivables. |
| BPOL | 129,150.00 | Anticipated collections, net of refunds, in July-Aug. Related to year end receivables. |
| Sales Tax | 1,400,000.00 | Estimate of sales tax to be received mid Aug. relative to tax on June 2002 retail sales. |
| Water Utility Tax | 72,875.00 | Estimate of taxes due on water utility billings related to water services provided through June 30, but not yet billed. |
| Cable TV Tax | 250,000.00 | Anticipated collections on tax for quarter ended June 30. |
| Recordation Tax | 75,000.00 | Anticipated collections on tax for quarter ended June 30. |

| | | |
|--------------|-----------|--|
| ABC/Wine Tax | 70,000.00 | Anticipated collections on tax for quarter ended June 30. |
|--------------|-----------|--|

\$2,924,025.00

Mr. Hall advised that CMERP resulting from the change in revenue recognition is as follows:

| <u>Type</u> | <u>Additional Accrual</u> | <u>City Portion</u> | <u>School Portion*</u> |
|---|-------------------------------|-------------------------|----------------------------|
| Local Taxes (Fully Shared with Schools at 36.42 per cent) | \$2,529,025.00 | \$1,607,954.00 | \$921,071.00 |
| Cable TV Tax (20 Per Cent Dedicated to Local Govt. Access Channel) | 250,000.00 | 177,160.00 | 72,840.00 |
| Grants in Aid Commonwealth | 145,000.00 | 145,000.00 | - |
| Expenditure Accrual | <u>(176,674.00)</u> | <u>(176,674.00)</u> | - |
| Total | \$2,747,351.00 | \$1,753,440.00 | \$993,911.00 |

*The School Fund will also derive additional CMERP from sales tax accrual in the School Fund of \$750,000.00.

It was advised that total fiscal year 2002 CMERP is as follows:

| | <u>General Fund</u> | <u>School Fund</u> |
|-----------------------------|---------------------|--------------------|
| Annual CMERP Computation | \$3,229,149.00 | \$ 2,502,538.00 |
| Additional CMERP | 1,753,440.00 | 1,743,911.00 |
| Total FY02 CMERP | 4,982,589.00 | 4,246,449.00 |

The City Manager pointed out that it is fairly unique that the operating budget is scaled back to include few, if any, one time projects so that the City waits until the end of the fiscal year, looking to the CMEP fund balance, before decisions are made regarding reimbursement items; and the previous Council suggested that City staff begin to look at changing the balance. She explained that if the City waits until the end of one fiscal year and an audit to determine available monies, the City is almost 18 months behind in the purchase of some items. She stated that if the financial condition improves in the future, the City should begin to balance in and have some portion of its one time capital needs included in the operating budget while also having a certain amount of funds that come from the CMERP balance. She noted that it is unusual for a community to wait for all of its one time needs until the end of the fiscal year.

The City Manager advised that staff is not prepared today to make a recommendation on expenditure of CMERP funds, which recommendation will most likely be submitted to Council in early September. She called attention to approximately \$14 million in CMERP requests which will be prioritized by staff with a recommendation to Council.

Given the fact that the City continues to hear that there will be financial impacts from the State, and the City could end up with certain operational shortfalls in the current fiscal year, as well as serious challenges in fiscal year 2004, Mr. Bestpitch stated that it would be prudent for Council to consider a reserve operating fund for the one time \$1.75 million CMERP windfall in view of anticipated budget uncertainties. He further stated that it is a question that Council needs to seriously consider.

Mr. Carder advised that Council has sent a message that the way the City addresses CMERP should be changed. He stated that Mr. Bestpitch's comment holds merit, but he would like to see more details in terms of the \$14 million in CMERP requests.

Mr. Dowe concurred in Mr. Carder's remarks; however, he stated that he did not disagree with Mr. Bestpitch's suggestion. He advised that in lieu of what is happening from an accounting standpoint in the private sector and in view of the comingling of capital and operational needs at any level, the City of Roanoke should proceed carefully and cautiously.

The City Manager explained that part of the difficulty is in the terminology used by the City, because it is not “capital” in the truest sense of the word, but operational items that are in the form of capital expenditures dealing with vehicles, small buildings, etc., therefore, the word “capital” in the CMERP definition should be referred to as “equipment replacement and vehicular replacement”. She advised that the real issue is getting the City to the point where it has an operating budget that has some reasonable expectation that certain routine things will happen: for example, if vehicular fleet is placed on some type of replacement schedule with the understanding that certain types of vehicles should be replaced every x number of years, or every x number of miles, that philosophy has been built into the budget. She explained that the City is building to that point, but it will take another four years at the present level to reach the point in the operating budget on a permanent basis that there is the expectation that a certain amount of equipment is paid for each year. She noted that the City has used mass purchase on its technology needs but not in other areas. She explained that it also means taking fairly conservative revenue estimates, bumping those estimates up so that there is a capacity within the operating budget to begin funding those types of items, and to not rely on deliberate underexpenditures for certain purchases. She noted that fiscal year 2003 was not the budget year to take such measures given what has happened with regard to the loss of State revenues. She stated that staff would like to be able to count on a certain amount of funds within the operating budget for those kinds of purchases; in analyzing the numbers, less than \$1 million this year was due to over performance of revenue, and the bulk of CMERP for this year can be accredited to City staff placing the “skids” on departmental expenditures.

Council Member Carder advised that with \$14 million in CMERP needs, the City should have a schedule for replacement of vehicles, and monies could be accrued which could also serve as a “rainy day” fund in the event of an emergency. He stated that with a valid capital replacement plan, the City would know where it will be in five, six, seven and ten years, as opposed to the current status which is somewhat reactive as to how expenditures and revenues come in for the previous year.

The Mayor inquired as to whether the City routinely has money left over at the end of the fiscal year for CMERP funds; whereupon, the Director of Finance advised that the City has consistently had money left over at year end, and throughout the year, the Budget Department and the Finance Department monitor the expenditure side of the budget to ensure that there is not a deficit. He advised that hopefully, some money will be left over at year end, although the amount is uncertain until the end of the fiscal year.

Council Member Harris advised that if Council increases the budget by \$1 million on the expenditure side and \$1 million on the revenue side to create an additional \$2 million for equipment replacement, Council should ask itself if, over the long term, it has the political discipline to ensure that that amount of money will actually remain in the budget for equipment replacement. He stated that as Council receives pressure from various community groups, organizations, etc., on funding requests, one of the first things to be edged out, incrementally, is equipment replacement which shifts over to the end of the year CMERP, thus three to four years in the future, Council could find itself in a position where no additional money has been dedicated to equipment replacement and there is a smaller CMERP fund, which is a step backward.

There was discussion in regard to the City's bond rating, increasing the City's population and bringing higher per capita income residents into the City of Roanoke.

Following the briefing, the Mayor advised that without objection by Council, the briefing would be received and filed.

SIDEWALK, CURB AND GUTTER-BUDGET-CMERP: The City Manager introduced a briefing on funds that were previously approved by Council in the Capital Improvements Program, which is the \$5 million that is to be generated by the additional tax on tobacco. She advised that staff will present a four year spending plan dedicated to curb, gutter and sidewalk which is a good balance between new construction, replacement items and special projects.

Robert K. Bengtson, Director of Public Works, advised that there are several areas of need, i.e. maintenance and repair of existing facilities which is not typical patch work and repairs, but pertains to larger projects where replacement of one or two blocks of curb and sidewalk will make a difference to the entire street; new construction of curb and sidewalk which is divided into two areas, i.e.: citizen requests which continue to grow and neighborhood plans encompassing a wider group within a neighborhood that will identify a broader area of need for new sidewalk and curbs; and special projects which are projects that do not fit into any of the above categories. He advised that all of the above referenced needs total \$20 million in identified needs; however, available funding totals \$5 million as a result of the increase in the tobacco tax of ten cents, which will provide funding for the debt service for the \$5 million of bonds that were sold in early 2002.

Examples were presented of areas in need of maintenance and repair on 14th Street, Avon Road, and 9th Street, and examples of new construction on Princeton Circle, Carter Road, and 5th Street.

Mr. Bengtson advised that effective January 1, 2002, all new development plans submitted for new subdivisions or developments will require curb and sidewalk within the public right-of-way; whereupon, the Mayor inquired as to how much of a handicap the requirement will create when seeking new affordable housing. The City Manager responded that if curb and sidewalk are not installed at the time of development, that specific address will show up on a future "wish list", which is the reason that the City has a \$20 million problem today. She stated that whatever amount, dollarwise, is contributed by the developer, the less the City will have to fund in the future. She noted that the City has more than enough affordable/low income housing at the present time and should encourage more upper end housing.

It was clarified that sidewalk is not a goal for every street; whereupon, the City Manager advised that there are some neighborhoods that do not want sidewalks, in which case sidewalks will not be required, but there is a need for curb and gutter.

Council Member Wyatt inquired if developers will be required to address water run off; whereupon, Mr. Bengtson advised that drainage is a serious consideration, and many requests received by the City require the installation of a drainage system in conjunction with curb and gutter to address water run off.

Of the \$20 million in needs, Council Member Dowe inquired as to how many sidewalks are near schools where usage is high; whereupon, Mr. Bengtson advised that he would research the question. Mr. Dowe also inquired about the cost of brick sidewalks versus regular sidewalks, and are there other projects that might be considered gateway streets where brick sidewalks should be considered. Mr. Bengtson advised that the cost ratio for a brick sidewalk is in the range of two to three times a normal concrete sidewalk.

Council Member Cutler inquired if administration of flood water management is fragmented among several City departments and whether the City Manager is satisfied with the current structure for flood water management. The City Manager responded that she is not totally satisfied with the current structure, nor is City staff, and the topic is becoming a whole new area of responsibility as this part of the Commonwealth comes under compliance with the storm water management program. She called attention to regional discussions on the issue which will now become the responsibility of the City of Roanoke as the flood reduction project goes forth to assume ongoing maintenance responsibilities, and while this responsibility will cost the City money, she is pleased that it will occur because it means that some entity will take responsibility for maintenance and for other kinds of things that need to happen.

Council Member Carder referred to special sidewalk, curb and gutter projects, and inquired as to where the money came from in the past to fund such projects; whereupon, the City Manager advised that funds came off the top of whatever money the City had appropriated which meant that sometimes a project that had been listed as a high priority was eliminated in order to complete another project. She explained that out of the annual projected spending of \$1.25 million, only \$150,000.00 is targeted for special projects, therefore, the lion's share of funds will go to the neighborhoods.

With regard to installation of sidewalk, specifically in those instances where a developer is constructing a new house in a neighborhood where houses currently exist on both sides of the street, but have no sidewalk, Mr. Bestpitch inquired if there is a way to install sidewalk throughout the entire block, while requiring the developer of the new house to pay only a portion of the overall cost that pertains to his/her new construction.

Mr. Bengtson advised that special projects include the 100 block of Kirk Avenue, Salem Avenue and Jefferson Street to 5th Street, including the new Roanoke Times Building, Bullitt/Jamison project, Hershberger Road at Valley View and Frontage Road at WDBJ. He advised that a total of \$5 million is available, annual spending is \$1,250,000.00 to be expended as follows: \$200,000.00 for maintenance and repair, \$900,000.00 for new construction (\$450,000.00 citizen requests and \$450,000.00 high impact neighborhood projects), and \$150,000.00 for special projects.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

At 1:55 p.m., the Mayor declared the meeting in recess to be reconvened at 2:00 p.m., in the City Council Chamber.

On Monday, August 5, 2002, at 2:00 p.m., the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Diane Scribner-Clevenger, Pastor, Unity Church of Roanoke Valley.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

DECEASED PERSONS: Mr. Bestpitch offered the following resolution memorializing the late S. Elaina Loritts, who passed away on July 14, 2002.

(#35999-080502) A RESOLUTION memorializing the late Sylvian Elaina Loritts, a citizen of Roanoke since 1977.

(For full text of Resolution, see Resolution Book No. 66, page 296.)

Mr. Bestpitch moved the adoption of Resolution No. 35999-080502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ACTS OF ACKNOWLEDGEMENT: The Mayor recognized the following 2002 participants in the City of Roanoke Internship Program:

Mary Cook-Moore, a 2002 graduate of National Business College, who interned in the Department of Billings and Collections.

Shayla Evans, a rising senior at Virginia State University, who interned in the Department of Planning, Building and Development.

Jesse Hobson, a 2002 graduate of Roanoke College, who interned in the Fleet Management Department.

Jessica Kleinhans, a rising senior at Radford University, who interned in the Department of Finance.

Patrice Lewis, a rising senior at the University of Virginia, who interned in the Office of Clerk of Circuit Court.

Konaka Robinson, a 2002 graduate of the University of Virginia, who interned in the Department of Social Services.

Sarah Ross, a rising senior at Radford University, who interned in the Circulation Department at the Main Library.

Donald Smith, a rising senior at Virginia Tech, who interned at the Waste Water Treatment Plant.

David Steidle, a third year law student at Appalachian School of Law, who interned in the City Attorney's Office.

James Toliver, a rising senior at Virginia State University, who interned at the Roanoke Civic Center.

Andre Via, a rising senior at the University of Virginia, who interned in the Department of Real Estate Valuation.

DECEASED PERSONS: The Members of Council expressed sympathy upon the passing of former Mayor James E. Taliaferro, City of Salem, who passed away on August 3, 2002.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meeting of City Council held on Monday, June 17, 2002, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Carder moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

SEWERS AND STORM DRAINS-EASEMENTS: A communication from the City Manager advising that pursuant to provisions of the Code of Virginia (1950), as amended, Council is required to hold a public hearing on the proposed vacation of property rights; whereupon, she requested that a public hearing be advertised for Monday, August 19, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation and dedication of a sanitary sewer easement at 3138 Gum Spring Street, S. E., was before the body.

Mr. Carder moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

CITY PROPERTY-TELEPHONE COMPANIES-LEASES: A communication from the City Manager advising that Cellco Partnership, a Delaware general partnership, d/b/a/ Verizon Wireless, with its principal office at 180 Washington Valley Road, Bedminster, New Jersey, has requested to lease a portion of the Washington Heights Water Tank and ground site, which is located in the 4100 block of Wyoming Avenue, Official Tax No. 2770406, to install directional antennas, connecting cables and appurtenances, was before Council.

It was further advised that to lease the property, a new lease agreement is required in conjunction with a public hearing; terms and conditions of the lease are in accordance with the City of Roanoke policy regarding Wireless Telecommunication Facilities located on City property dated January 21, 1997; and proposed term of the lease will be four years and eleven months, commencing on September 1, 2002 and expiring on July 31, 2007, which lease may be renewed for up to two five year terms, upon mutual agreement by the parties.

The City Manager recommended that Council authorize the scheduling of a public hearing to consider entering into a new lease agreement between the City of Roanoke and Cellco Partnership, a Delaware general partnership, d/b/a/ Verizon Wireless.

Mr. Carder moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

EASEMENTS-WATER RESOURCES: A communication from the City Manager advising that the City of Roanoke Water Division has been contacted by a developer, John Griffin, regarding Kingston Estates, a new subdivision to be constructed in Roanoke County; and the main water distribution line from the Falling Creek Filtration Plant runs through the property proposed for development, which water line has existed in this location for approximately 100 years, was before Council.

It was further advised that the City has requested the contractor to locate the water line in a new easement outside the lots in a dedicated water line easement; the new line and the new easement will be in place before the existing easement is vacated; and the contractor has requested the City to quitclaim its easement through the roadways which the Virginia Department of Transportation requires in order to accept the road system for maintenance; whereupon, the City Manager recommended that Council authorize the scheduling of a public hearing to establish a new water line easement and Deed of Quitclaim for the easement through the roadway right-of-way.

Mr. Carder moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-SCHOOLS: A communication from William E. Skeen tendering his resignation as a Trustee of the Roanoke City School Board, effective July 24, 2002, was before Council.

Mr. Carder moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

OATHS OF OFFICE-FIRE DEPARTMENT-COMMUNITY PLANNING-PERSONNEL DEPARTMENT-ROANOKE ARTS COMMISSION-HUMAN DEVELOPMENT COMMITTEE-LIBRARIES-FIFTH PLANNING DISTRICT COMMISSION-METROPOLITAN TRANSPORTATION DISTRICT: The following reports of qualification were before Council:

Susan W. Jennings as a member of the Roanoke Arts Commission, for a term ending June 30, 2005;

David K. Lisk as a member of the Roanoke Valley-Alleghany Regional Commission, for a term ending June 30, 2003;

Stanley G. Breakell and Pamela S. White as members of the Roanoke Public Library Board, for terms ending June 30, 2005;

Fredrick M. Williams as a member of the City Planning Commission, to fill the unexpired term of Alfred T. Dowe, Jr., resigned, ending December 31, 2004;

John C. Moody, Jr., as a member of the Board of Fire Appeals, for a term ending June 30, 2006;

Lylburn D. Moore, Jr., as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2005;

Sherman A. Holland as a member of the Roanoke Valley Area Metropolitan Planning Organization, for a term ending June 30, 2005; and

Glenn D. Radcliffe as a member of the Human Services Committee, for a term ending June 30, 2003.

Mr. Carder moved that the reports of qualification be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

PUBLIC HEARINGS:

COMMITTEES-SCHOOLS: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, August 5, 2002, at 2:00 p.m., or as soon thereafter as the matter may be heard, to receive the views of citizens on the appointment of a School Trustee, to fill the unexpired term of Sherman P. Lea, resigned, ending June 30, 2003, the matter was before the body.

Candidates for the position are:

Edna Crabbere
David Dabay
F. B. Webster Day
John W. Elliott, Jr.
William H. Lindsey

Advertisement of the public hearing was published in The Roanoke Times on Friday, July 19, 2002 and in The Roanoke Tribune on Thursday, June 27, 2002.

The Mayor inquired if there were persons present who would like to be heard; whereupon, the following persons appeared before Council.

Mr. Michael Urbanski, 2108 Mount Vernon Road, S. W., endorsed the candidacy of F. B. Webster Day. He stated that Mr. Day previously served on the School Board with distinction and his previous experience will enable him to fill the unexpired term by immediately becoming an effective member of the School Board. He added that careful, deliberate judgment is the hallmark of Mr. Day's character, his decision making style is thoughtful and considerate of all viewpoints, and his experience, skill and knowledge in public finances as a bond attorney will be

important as the School Board considers various issues in the years to come. He stated that Mr. Day's professional and personal integrity is beyond question and he is seeking reappointment to the School Board because he wants to improve the quality of schools and to provide all children with a first class education. He advised that Mr. Day is tolerant and fair, he prefers to work by building consensus rather than stirring up controversy, he is a dedicated professional, a Sunday School teacher, a tee-ball and soccer coach, a member of the Fishburn Park Elementary School Site Based Council, and the parent of three children in the Roanoke City School system. He recommended Mr. Day for appointment to the School Board without reservation.

Mr. Charles W. Day, 1830 Grayson Avenue, N. W., endorsed the candidacy of F. B. Webster Day. He referred to the following interpersonal skills and attributes which are consistent in successful School Board Members; i.e.: interpersonal skills, working cooperatively, accepting criticism, treating all School Board members with respect, managing stress in stressful situations, taking responsibility for actions, honoring individual differences, focusing on important issues, believing in public schools, keeping children first, respecting and guarding the integrity of the governance process, being honest and sincere, maintaining a sense of humor, and valuing and seeking challenges. He stated that he served on the School Board with Webster Day from July 1, 1997 to June 30, 2000, and he was a Board member who was dedicated to the above listed skills and attributes. He noted that as an attorney, Mr. Day brings the legalistic aspect to the work of a good School Board Member, he is a member of numerous professional and civic organizations, and he has three children in the Roanoke City Public School system. He advised that Webster Day was a good School Board Trustee during his previous tenure on the Board and, if appointed to fill the unexpired term of Sherman Lea, his experience will be a valuable addition to the School Board.

Mr. Douglas Waters, 163 Zion Hill Road, Fincastle, Virginia, endorsed the candidacy of John W. Elliott, Jr. He advised that Mr. Elliott is a stellar candidate, he has 30 years of public service in education, municipal government and law enforcement, and during those years he has worked with children who have excelled as well as those who have special needs. He stated that Mr. Elliott has two children in the Roanoke City school system, and he is thoughtful, observant, and practical in his opinions and ideas on a wide range of problems and experiences. He encouraged Council to support the candidacy of Mr. Elliott to the School Board.

Ms. Aida Martinez, 3034 Ashwood Circle, N. E., endorsed the candidacy of John W. Elliott, Jr. She advised that Mr. Elliott is passionate about issues of social justice and diversity, he inspires leadership and citizenship, he is thoughtful and

creative, he is open minded to different perspectives and ensures that the voice of everyone is heard. She stated that Mr. Elliott is current on issues of education, especially in terms of at risk children, he would represent a new voice on the School Board, and his service would be a welcome addition to the School Board.

Mr. Cynthia Ries, 3631 Peakwood Drive, S. W., endorsed the candidacy of F. B. Webster Day. She advised that Mr. Day is a man of great character and qualifications, he is a strong, reassuring and solid presence at Fishburn Park Elementary School, James Madison Middle School and Patrick Henry High School where his children are students, and he is an inspired person who inspires others to do what they can and to stay on course. She called attention to Mr. Day's previous service on the School Board as Vice Chair, and if appointed, he will bring experience, skill and a subtle knowledge of the players without a learning curve, he will be diplomatic, a word smith, a work horse without an ego problem, a consensus builder, and a bond attorney with financial acumen.

Mr. Joe Preseren, 5022 Cave Spring Circle, S. W., endorsed the candidacy of John W. Elliott, Jr. He advised that Mr. Elliott has an excellent professional background of 30 years of public service, and he is a qualified person who has been involved with the types of decisions that School Board Members are required to make. He stated that Mr. Elliott has leadership abilities and will keep in mind the best interests of the students of Roanoke City Schools. He asked that Council closely review the accomplishments of Mr. Elliott to the Roanoke Valley during his two years of residency.

Ms. Linda Calkins, 3484 Overbrook Drive, S. W., endorsed the candidacy of John W. Elliott, Jr. She advised that Mr. Elliott exhibits drive and desire, his intellectual curiosity stimulates other individuals, discipline and balance are key to his success as a leader and as an educator, he achieves a balance in work, community service, scholarly pursuit, athletic endeavors, family and friends, an attention to detail that has led him to develop and excel in programs and opportunities, and he displays a thirst for knowledge and actively seeks information that will lead not only himself but others to achieve. She stated that he is willing to share his knowledge, he is a teacher and often explains even the most technical aspects in terms that will fit the situation and the audience, he exhibits energy and excitement, his passion and vision arouse excitement in the most placid bystander, and he seeks out and develops resources in the community and offers first rate programs. She called attention to his enthusiasm, attention to detail, the energy and excitement that he exhibits that carries over into the community, his work ethic, and the ever searching knowledge that he exhibits is reflected in the classroom which causes him to be an outstanding role model.

No other persons wishing to be heard, the Mayor advised that all remarks would be received and filed. He stated that Council would vote to fill the vacancy at its next regular meeting on Monday, August 19, 2002 at 2:00 p.m.

The Mayor declared the public hearing closed.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUILDINGS/BUILDING DEPARTMENT-CITY MARKET: The City Manager submitted a communication advising that the City currently leases the Market Building at 32 Market Square, to Downtown Associates, LP; the lease agreement will expire on December 31, 2002, and Downtown Associates has officially notified the City that it will not exercise renewal options of the lease agreement and plans to vacate the premises, effective December 31, 2002, as will its management company, F&W Management Corp.; therefor, the City must secure a new management company to operate the facility, effective January 1, 2003.

It was further advised that the City desires the opportunity to consider entering into a contractual agreement with a property management company to manage and operate the Market Building; although the sealed bid method of procurement would normally be used, it is not practicable or fiscally advantageous to the public in procuring the above services; the experience, qualifications, and references of firms that can provide the above listed services are of equal, if not greater, importance than the cost; additional issues, other than price, include maintenance and repair, employee training, customer responsiveness, marketing and accounting procedures; therefore, the process of competitive negotiation using the request for proposal process has been identified as the best method for procurement of such services.

It was explained that the City provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation"; prior approval by Council is necessary before the alternate method may be used,

pursuant to Section 23.1-4 (e) of the Code of the City of Roanoke (1979), as amended; and the proposed method will allow for negotiations with two or more providers to determine the best qualified at the most competitive price or rate.

The City Manager recommended that Council authorize the use of competitive negotiation as the method to secure a management company for the Market Building.

Mr. Carder offered the following resolution:

(#36000-080502) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of a property management company for the City Market Building; and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 66, page 298.)

Mr. Carder moved the adoption of Resolution No. 36000-080502. The motion was seconded by Mr. Dowe.

Mr. Cutler called attention to a potential synergy between the Art Museum of Western Virginia, Center in the Square and the City Market Building in regard to a new heating/air conditioning system, and inquired if the new system will be a part of the proposed management contract; whereupon, the City Manager advised that the issue of replacement of the heating/air conditioning system is a priority for the City, but is not a part of the request for proposals for a management firm. She stated that City Engineering staff has been requested to enter into discussions with their counterparts from the two facilities to determine the feasibility of some type of combination system that could serve the different buildings without duplicating the necessary levels of service.

Mr. Bestpitch suggested that the City communicate its support to local independent businesses operating the food vendor operations in the City Market building.

The Mayor spoke in support of merchants currently operating on the City Market, as well as the food court in the City Market building, and stated that the management firm should be an entity with an entrepreneurial spirit that can relate to the market vendors because there is a special ambiance on the City Market that should remain intact.

In clarification, the City Manager spoke in support of present activity on the first floor of the City Market building by local vendors; however, she stated that there is an opportunity for development of the upper floors. She called attention to meetings with food service vendors and correspondence attempting to provide a level of assurance; however, the greatest reassurance will come when a replacement management firm is in place that will interact with market vendors. She advised that City staff realize the value of the City Market building, both tangible and intangible, as well as the Farmers' Market, both of which play key roles to the success of downtown Roanoke and to the community as a whole.

Resolution No. 36000-080502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the City of Roanoke wishes to consider entering into a contractual agreement with a service provider for the delivery of Job Readiness training; instruction would be made available for clients required to participate in the Virginia Initiative for Employment Not Welfare (VIEW) and Food Stamp Employment Training (FSET) programs; and proposed training is designed to assist participants with job search efforts, as well as with obtaining and maintaining employment.

It was further advised that although the sealed bid method of procurement could be used, it is not practicable or fiscally advantageous to the public in this instance; the experience, qualifications, and references of firms that can provide the above listed service are of equal, if not greater, importance than the cost; issues of experience, capacity and ability to achieve desired outcomes are of critical importance in determining the best possible provider of the required service; and the procurement of job readiness/employment preparation training must include a means to evaluate the quality of services to be provided in areas such as instructional/training experience, allocation of personnel and financial management; therefore, the process of competitive negotiation using the request for proposal process has been identified as the best method for procurement of such goods and services.

It was explained that the City Code provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation"; prior approval by Council is necessary before the alternate method

may be used, pursuant to Section 23.1-4 (e), Code of the City of Roanoke (1979), as amended, which method will allow for negotiations with two or more providers to determine the best qualified at the most competitive price or rate.

The City Manager recommended that Council authorize the use of competitive negotiation as the method to secure vendors to provide appropriate services as above described.

Mr. Carder offered the following resolution:

(#36001-080502) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of services for the provision of Job Readiness instruction for eligible Department of Social Services clients and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 66, page 299.)

Mr. Carder moved the adoption of Resolution No. 36601-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that Congress has appropriated funds for continuation of the Local Law Enforcement Block Grant (LLEBG) for fiscal year 2002-2003, which will be administered by the Bureau of Justice Assistance and the U. S. Department of Justice; the purpose of the grant is to provide funds to units of local government to underwrite projects designed to reduce crime and improve public safety; the City of Roanoke has been awarded \$129,407.00, and grant conditions require a local match amount of \$14,379.00, for a program totaling \$143,786.00; and the award will renew Roanoke’s LLEBG Grant Program for the seventh consecutive year.

It was further advised that grant funds must be used for: (1) payment of overtime to presently employed law enforcement officers for the purpose of increasing the number of hours worked by such personnel and (2) procuring equipment, training and other materials directly related to basic law enforcement functions; and police bicycle patrol, directed at specific/problem areas or neighborhoods of the City will be continued through the program.

It was stated that the deadline for acceptance of the grant is August 25, 2002; grant funds become available only after a public hearing and an LLEBG Program advisory committee meeting has been conducted by the Police Department; and the public hearing and LLEBG advisory committee meeting must be conducted prior to October 9, 2002.

It was advised that the LLEBG Program requires that all grant funds (\$129,407.00) be placed in an interest bearing account; based on interest earned during the past year of LLEBG funding, interest earnings of \$2,500.00 are anticipated; and a local cash match of \$14,379.00 is available in the Police Department's State Asset Forfeiture account.

The City Manager recommended that she be authorized to execute any required documentation and that Council appropriate \$129,407.00 to grant fund accounts to be established by the Director of Finance in the following amounts:

| | |
|--------------------------|---------------|
| Police Overtime | \$ 120,000.00 |
| FICA | \$ 9,180.00 |
| Expendable Equipment | \$ 12,000.00 |
| Training and Development | \$ 5,106.00 |
| Total | \$146, 286.00 |

Mr. Carder offered the following budget ordinance:

(#36002-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 301.)

Mr. Carder moved the adoption of Ordinance No. 36002-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#36003-080502) A RESOLUTION authorizing the acceptance of a certain Local Law Enforcement Block Grant from the United States Department of Justice, and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 66, page 302.)

Mr. Carder moved the adoption of Resolution No. 36003-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GRANTS: The City Manager submitted a communication advising that notification has been received from the Commonwealth of Virginia Commission for the Arts that a \$5,000.00 Local Government Challenge Grant has been awarded to the City of Roanoke; and application for the grant was made at the request of the Arts Council of Roanoke Valley, Mill Mountain Theatre, Opera Roanoke, Roanoke Symphony Orchestra, and Young Audiences of Virginia.

It was further advised that in order to receive the funds, the Commission must obtain written confirmation that local tax revenue dollars will be used to match or exceed the amount of the grant; and for fiscal year 2002-03, the above listed organizations will receive local tax dollar funding through the Roanoke Arts Commission in the following amounts:

| | |
|---|--------------------|
| Arts Council of the Roanoke Valley | \$12,500.00 |
| Mill Mountain Theatre | 10,500.00 |
| Opera Roanoke | 6,500.00 |
| Roanoke Symphony Orchestra | 21,500.00 |
| Young Audiences of Virginia | 4,000.00 |

The City Manager recommended that Council adopt a resolution authorizing acceptance of the grant, appropriate funds to an account to be created by the Director of Finance in the Grant Fund entitled, "Challenge Grant FY 03", and establish a revenue estimate of \$5,000.00; and grant funds will then be distributed to the five sponsoring agencies, in the amount of \$1,000.00 each.

Mr. Carder offered the following budget ordinance:

(#36004-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 303.)

Mr. Carder moved the adoption of Ordinance No. 36004-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#36005-080502) A RESOLUTION authorizing the acceptance of a Local Government Challenge Grant from the Virginia Commission for the Arts.

(For full text of Resolution, see Resolution Book No. 66, page 304.)

Mr. Carder moved the adoption of Resolution No. 36005-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-HUMAN DEVELOPMENT-GRANTS: The City Manager submitted a communication advising that the Virginia Department of Social Services issued a Request for Proposal to use Federal funds to provide job search, job coaching, and job retention services for hard-to-serve Temporary Assistance to Needy Families (TANF) recipients; the City of Roanoke Department of Social Services responded to the Request for Proposals with a proposal outlining its intent to work collaboratively with TAP – This Valley Works, to provide work-related services as above listed; under the proposal, eligible TANF recipients who must obtain employment, but who have not been in compliance with certain regulatory requirements, are provided customized job search assistance; and case managers work with these individuals to develop and initiate an individualized plan of action to meet compliance requirements and to assist in securing and maintaining employment.

It was further advised that the City of Roanoke was awarded \$207,933.00 in grant funding under the TANF Hard-to-Serve Project for fiscal year 2003, which includes \$31,561.00 carried forward from fiscal year 2002 and \$176,372.00 available for fiscal year 2003.

The City Manager recommended that Council authorize acceptance of the grant award, appropriate Temporary Assistance to Needy Families (TANF) Funding, totaling \$207,933.00, and establish a revenue estimate of \$207,933.00 in accounts to be established by the Director of Finance.

Mr. Bestpitch offered the following budget ordinance:

(#36006-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 305.)

Mr. Bestpitch moved the adoption of Ordinance No. 36006-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following resolution:

(#36007-080502) A RESOLUTION authorizing acceptance of a grant award under the Temporary Assistance for Needy Families (TANF) Hard-to Serve Project from the Virginia Department of Social Services, for the purpose of providing job search, job coaching and job retention services for eligible TANF recipients who must obtain employment, and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant.

(For full text of Resolution, see Resolution Book No. 66, page 306.)

Mr. Bestpitch moved the adoption of Resolution No. 36007-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GRANTS-WATER RESOURCES-ENVIRONMENTAL POLICY: The City Manager submitted a communication advising that Presidential Decision Directive 63 (PDD-63) was issued by President Clinton in 1998 and established the National Infrastructure Protection Center (NIPC); and the Directive also designates the water industry as one of eight critical infrastructure sectors and outlines a collaborative effort between public agencies and the private sector to identify and address the vulnerabilities in the nation's critical infrastructures.

It was further advised that in response to the attacks of September 11, 2001, the United States Environmental Protection Agency (EPA) received a supplemental appropriation from Congress to improve safety and security of the nation's water supplies; grant funds from EPA was made available for large systems that serve populations over 100,000, such as is the case with the City of Roanoke's water system; in December, 2001, the U. S. House of Representatives passed legislation that will require all water utilities serving over 3,300 people to complete vulnerability assessments of their potable water systems; and the schedule for completion of the assessment is December 31, 2002.

It was explained that in April 2002, the Water Division applied for a \$115,000.00 grant from EPA to be used by the City Water Division, in accordance with EPA requirements/guidelines, to develop a vulnerability assessment (VA), emergency response/operating plan (EOP), security enhancement and design, or a combination of efforts; Randall Funding and Development, the grant writing firm under contract with the City, assisted in the preparation of grant application materials, which assistance is offered to the City of Roanoke for 100 per cent of all approved costs incurred up to and not exceeding \$115,000.00 and the City is under no obligation to provide matching funds; and on June 17, 2002, the City received notification from the Environmental Protection Agency that the \$115,000.00 grant application has been approved.

The City Manager recommended that Council accept the EPA grant, in the amount of \$115,000.00, and authorize the City Manager and the City Clerk to execute and attest, respectively, an agreement with the Environmental Protection Agency and any other forms necessary and to take such further action as may be necessary to accept such grant, to be approved as to form by the City Attorney; and that Council appropriate \$115,000.00 in Federal funds in an account to be established by the Director of Finance in the Grant Fund.

Mr. Carder offered the following budget ordinance:

(#36008-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 307.)

Mr. Carder moved the adoption of Ordinance No. 36008-080502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#36009-080502) A RESOLUTION authorizing the acceptance of a grant from the United States Environmental Protection Agency to develop a vulnerability assessment, emergency response/operation plan, security enhancement and design, or a combination of these items for the City's water system; authorizing execution of any required documentation on behalf of the City; and authorizing the City Manager to take such further action as may be necessary to accept such grant.

(For full text of Resolution, see Resolution Book No. 66, page 308.)

Mr. Carder moved the adoption of Resolution No. 36009-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

COMMUNITY PLANNING-GRANTS-BUSINESS INCUBATORS: The City Manager submitted a communication advising that since 1995, the Blue Ridge Small Business Development Center has operated the "New Century Venture Center," the

region's premiere small business incubator and one of the most successful facilities of its kind in the nation; the City of Roanoke has long been a supporter of the Center, including providing Community Development Block Grant (CDBG) funds to assist with acquisition of the building and operating costs during the Center's first three years; and the Center facilitates the viability of new and expanding small businesses by offering space and shared services to reduce financial burdens on such companies.

It further advised that more recently, the Small Business Center has perceived the need to assist businesses that cannot locate within the facility, but which nonetheless can benefit from the cost savings that the Center makes available; the Center is establishing a new "Venture Out" program that will provide computer, communications and other services to such external companies; and external companies will schedule time to use the equipment and services located within the "Venture Out" area of the Center, thereby reducing capital and other costs of the business viability.

It was stated that on May 13, 2002, Council authorized CDBG assistance to the Small Business Center and its Venture Out Program, pursuant to Resolution No. 35848-051302, which approved submission of the City's 2002-03 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; Council accepted 2002-03 CDBG funds on June 17, 2002, pursuant to Budget Ordinance No. 35914-061702 and Resolution No. 35915-061702, pending receipt of an approval letter from HUD; and the approval letter is completing the routine Congressional release process and is expected by mid-August.

It was explained that in order for the Small Business Center to provide business development activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the Center is needed; necessary CDBG funding is available in Account No. 035-G03-0330-5370, and a total of \$105,000.00 in CDBG funds is being provided to the Small Business Center for the period from July 1, 2002, to June 30, 2003.

The City Manager recommended that she be authorized to execute the 2002-03 CDBG Agreement with the Blue Ridge Small Business Development Center.

Mr. Carder offered the following resolution:

(#36010-080502) A RESOLUTION authorizing City officials to enter into the 2002-2003 Community Development Block Grant Program Agreement with the Blue Ridge Small Business Development Center, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 66, page 309.)

Mr. Carder moved the adoption of Resolution No. 36010-080502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REGIONAL CHAMBER OF COMMERCE-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that since 1998, the Roanoke Regional Chamber of Commerce Small Business Development Center has conducted a "Community Business Development Initiative" program to promote business development in the central City; on May 13, 2002, Council authorized the Chamber's 2002-03 Community Development Block Grant (CDBG) activities and funding, pursuant to Resolution No. 35848-051302, which approved submission of the City's 2002-03 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; and Council accepted 2002-03 CDBG funds on June 17, 2002, pursuant to Budget Ordinance No. 35914-061702 and Resolution No. 35915-061702, pending receipt of the approval letter from the Department of Housing and Urban Development, and the approval letter is completing the routine Congressional release process and is expected by mid-August.

It was further advised that in order for the Chamber of Commerce to provide the business development activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the Chamber of Commerce is needed; necessary CDBG funding is available in Account No. 035-G03-0330-5021, and a total of \$105,000.00 in CDBG funds is being provided to the Chamber of Commerce for the period from July 1, 2002, to June 30, 2003.

The City Manager recommended that she be authorized to execute the 2002-03 CDBG Agreement with the Chamber of Commerce, to be approved as to form by the City Attorney.

Mr. Harris offered the following resolution:

(#36011-080502) A RESOLUTION authorizing the execution of an agreement with the Roanoke Regional Chamber of Commerce for administration of Community Development Block Grant (CDBG) funds for FY 2002-2003, for services related to the promotion and development in the central area of the City.

(For full text of Resolution, see Resolution Book No. 66, page 309.)

Mr. Harris moved the adoption of Resolution No. 36011-080502. The motion was seconded by Mr. Dowe.

Mr. Dowe advised that he serves on the Board of Directors of the Roanoke Regional Chamber of Commerce, and inquired if he has a conflict of interest; whereupon, the City Attorney advised that since it is not a paid position, there would be no conflict of interest.

Resolution No. 36011-080502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-PARKS AND RECREATION-GREENWAY SYSTEM: The City Manager submitted a communication advising that greenways were first proposed for the City of Roanoke by landscape architect John Nolan in the 1907 and 1928 comprehensive plans which were developed for the City; and Mr. Nolan realized that the beneficial aspects of greenways extended far beyond their recreational value, and since that time, the Roanoke Valley community has undertaken an extensive and ambitious greenways development plan.

It was further advised that the Mill Mountain/Prospect Greenway was included in the Roanoke Valley Conceptual Greenway Plan, and selected as the region's pilot greenway project in 1995 by the Roanoke Valley Greenways Commission, which is comprised of representatives of all four Roanoke Valley governments; as originally envisioned, the greenway was to connect three of the Roanoke Valley's most visited destinations, linking the Market area with attractions on Mill Mountain, and continuing on to the Blue Ridge Parkway; due to budget constraints and other factors, the scope of the project has been divided into phases; the present phase, the Mill Mountain Greenway, will allow walkers, runners, and bicyclists to travel from the Market area, through Elmwood Park, across Elm Avenue and down Williamson Road, across the Walnut Avenue Bridge, to Piedmont Park, overlooking the Roanoke

River; construction will include new sidewalks, ramps, and retaining walls in Elmwood Park, medians on Williamson Road, a ramp leading from Hamilton Terrace to Piedmont Street, and a parking area at Piedmont Park, with associated amenities and work.

It was explained that after proper advertisement, five bids were received, with H. & S. Construction Company, submitting the low bid, in the amount of \$655,761.20 (which includes \$615,648.12 for the Base Bid and \$40,113.08 for Bid Alternate Items), and 180 consecutive calendar days for construction.

It was advised that funding in the amount of \$715,761.00 is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding is available from the following sources:

| | | |
|-------------------|-------------------------------|---|
| \$ 90,000.00 | Account No. 008-052-9709-9180 | Public Improvement Bonds Series 1999 - Parks |
| 25,263.00 | Account No. 008-052-9721 | Mill Mountain Greenway |
| 20,000.00 | | In-kind Cash Donation (Horace G. Fralin Charitable Trust) |
| 390,000.00 | | ISTEA Grant |
| <u>190,498.00</u> | Account No. 008-530-9756 | Roanoke River Greenway Phase II, |
| \$ 715,761.00 | | |

It was noted that the following organizations have contributed significantly to the project:

The Horace G. Fralin Charitable Trust contributed \$20,000.00; Lanford Brothers Co., Inc., donated labor and equipment usage for grading in Piedmont Park (valued at \$10,000.00); J. M. Turner & Co., Inc., donated labor, materials, and installation of the trellis at Piedmont Park (valued

at \$10,000.00); and Branch Highways, Inc., donated concrete barriers for Williamson Road (valued at \$10,000.00).

The City Manager recommended that Council accept the bid of H. & S. Construction Company, in the amount of \$655,761.20 (which includes \$615,648.12 for the Base Bid and \$40,113.08 for Bid Alternate Items), with 180 consecutive calendar days construction time; reject all other bids received by the City; accept a gift of \$20,000.00 from the Horace G. Fralin Charitable Trust; accept gifts of Lanford Brothers Co., Inc., J. M. Turner & Co., Inc., and Branch Highways, Inc., which are to be made available as construction progresses into specific areas; and establish an account receivable to accept the \$20,000.00 donation and the \$390,000.00 grant and appropriate these amounts, together with transfers of \$90,000.00 from Public Improvement Bonds Series 1999 - Parks, Account No. 008-052-9709-9180, and \$190,498.00 from Account No. 008-530-9756, Roanoke River Greenway Phase II, to Account No. 008-052-9721, Mill Mountain Greenway.

Mr. Harris offered the following budget ordinance:

(#36012-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 310.)

Mr. Harris moved the adoption of Ordinance No. 36012-080502. The motion was seconded by Mr. Dowe.

Mr. Cutler called attention to progress on the various greenways and inquired if greenway planners are incorporating plans for easy access from one greenway to another. The City Manager responded that easy access is the long term intent, different greenway segments are under construction, and in the past 30 days Council took action to approve acquisition of those parcels of land needed to bring the Lick Run Greenway to The Hotel Roanoke. She stated that at a future Council meeting, or via report, Council will be provided with information on proposals to connect all of the different greenways.

Ordinance No. 36012-080502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36013-080502) AN ORDINANCE accepting the bid of H. & S. Construction Company for the construction of a greenway connecting Elmwood Park and Piedmont Park, by way of Williamson Road, Walnut Avenue Bridge, and Riverview Boulevard, upon certain terms and conditions, and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 66, page 312.)

Mr. Carder moved the adoption of Ordinance No. 36013-080502. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Dowe offered the following resolution:

(#36014-080502) A RESOLUTION accepting a donation of funds to be used for the construction of the Mill Mountain Greenway; a donation of the delivery and placement of 564 linear feet of traffic barrier on the Williamson Road portion of the project; a donation of the materials for, and the construction and installation of, a trellis, and a concrete pad beneath the trellis, in Piedmont Park; and a donation of equipment and labor for the grading and preparation of the Piedmont Park parking area and the Hamilton Terrace switchback ramp; and expressing appreciation for each donation.

(For full text of Resolution, see Resolution Book No. 66, page 313.)

Mr. Dowe moved the adoption of Resolution No. 36014-080502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-Y. M. C. A-SWIMMING POOLS-GREENWAY SYSTEM: The City Manager submitted a communication advising that on June 18, 2001, Council adopted the 2002-2006 Capital Improvement Program (CIP), which included funds for the YMCA Aquatic Center and Roanoke River Greenway projects; beginning with fiscal year 2002, the City committed to a \$2.0 million investment, to be paid in \$200,000.00 increments over a ten-year period to the YMCA Aquatic Center; funds cover costs associated with design and construction of a new central branch YMCA complex; and City residents will receive a discounted membership rate, allowing them to visit any YMCA facility, including the facility planned in the City of Salem.

It was further advised that beginning in fiscal year 2002, the City also committed to contributing \$200,000.00 per year for ten years, for a total of \$2.0 million to the Roanoke River Greenways project; funds for the Roanoke River Greenway project cover costs associated with the construction of a greenway, which will extend along the Roanoke River; greenways have become a necessary commodity for communities across the United States since they are viewed as an essential amenity that encourages economic development; greenways connect citizens to various aspects of a community such as parks, shops, schools and neighborhoods; and numerous greenways have been proposed, with a majority connecting to the proposed Roanoke River Greenway.

It was explained that Council approved an update to the CIP for fiscal years 2003-2007 on May 13, 2002, and an appropriation of \$200,000.00 for each project in capital fund interest is required in order to meet the City's obligation for fiscal year 2003.

The City Manager recommended that Council appropriate \$400,000.00 in capital fund interest earnings to the following Capital Projects:

| | | |
|------------------------|-----------|-------------------|
| YMCA Aquatic Center | \$ | 200,000.00 |
| Roanoke River Greenway | | 200,000.00 |
| TOTAL | \$ | 400,000.00 |

Mr. Carder offered the following budget ordinance:

(#36015-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 315.)

Mr. Carder moved the adoption of Ordinance No. 36015-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA of the Roanoke Valley.)

BUDGET-FIFTH PLANNING DISTRICT COMMISSION: The City Manager submitted a communication advising that the Fifth District Disability Services Board (DSB) is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community; and the following jurisdictions in the Fifth Planning District have enacted resolutions establishing their participation in a regional effort and have appointed a local official to serve as a representative: Cities of Roanoke, Salem, Covington, Clifton Forge; Counties of Roanoke, Craig, Botetourt, and Allegheny; and the Town of Vinton, with other members of the Disability Services Board including representatives from business and consumers.

It was further advised that Council authorized the Director of Finance to serve as fiscal agent for the Fifth Planning District Disabilities Services Board on September 25, 1995, pursuant to Resolution No. 32675-092595.

It was explained that the State Department of Rehabilitative Services, through the Rehabilitative Services Incentive Fund (RSIF) Program, has allocated funds in the amount of \$80,346.00 over the next three years to the Fifth District DSB for the following projects:

Heartland Rehabilitative Services – Community-based creative movement dance classes to special needs children in cooperation with the Roanoke Ballet.

Family Service of the Roanoke Valley – Home-based personal care services for individuals with physical and sensory disabilities.

Adult Care Center of the Roanoke Valley – Day and weekend therapeutic and recreational services to persons with disabilities.

It was further explained that over the next three years, the \$80,346.00 Rehabilitative Services Incentive Fund allocation and a \$30,440.00 local agency match has been apportioned as follows: \$53,133.00 for the first year, \$47,633.00 for the second year and \$10,020.00 for the third year for the Adult Care Center, Family Services of Roanoke Valley, and Heartland Rehabilitation; and no local government match is required.

The City Manager recommended that Council appropriate \$80,346.00 to grant fund accounts to be established by the Director of Finance and create a corresponding revenue estimate from the State Department of Rehabilitative Services to provide funding for the Fifth District Disability Services Board.

Mr. Carder offered the following budget ordinance:

(#36016-080502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 316.)

Mr. Carder moved the adoption of Ordinance No. 36016-080502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REGIONAL CHAMBER OF COMMERCE-FIFTH PLANNING DISTRICT COMMISSION-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that the development of a regional economic strategy was undertaken by the Fifth Planning District Regional Alliance over a year ago; Eva Klein & Associates, Ltd., and the Center for Regional Economic Competitiveness assisted the Alliance in the planning process; over 150 individuals/groups involved with local government, economic development, business, education, tourism, and human resources were interviewed as part of the effort; and on July 11, 2002, the Board of Directors of the Regional Alliance adopted a strategy to serve as a roadmap for improving the region's economic competitiveness.

It was further advised that the Strategy includes a number of strategies, goals and tactics developed within a framework of six critical and interrelated strategic themes; i.e.:

Visibility
Connectivity
Quality of Life Amenities
Knowledge Work Force
Innovation & Entrepreneurship
Economic Transformation

The City Manager recommended that Council adopt a measure endorsing the Fifth Planning District Regional Alliance’s Regional Economic Strategy.

Mr. Harris offered the following resolution:

(#36017-080502) A RESOLUTION endorsing a Regional Economic Strategy developed by the Fifth Planning District Regional Alliance.

(For full text of Resolution, see Resolution Book No. 66, page 36017.)

Mr. Harris moved the adoption of Resolution No. 36017-080502. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of June 2002.

Without objection by Council, the Mayor advised that the June 2002 Financial Report would be received and filed.

REPORTS OF COMMITTEES:

COMMITTEES-ARCHITECTURAL REVIEW BOARD-STREETS AND ALLEYS:

Robert B. Manetta, Member, Architectural Review Board, requested that Council review proposed changes to the streetscape for the Kirk Avenue area between Market Street and Williamson Road. He called attention to the quality of work on the first section of the street, but due to concerns regarding expenses to maintain the area, the City has considered not following through with the same type of treatment for the remainder of the street. He referred to future development in the Market area in which case it would be advantageous to continue with the same type of treatment which will invite pedestrians from those buildings to the market area. He stated that cities all over the country with successful downtown areas have dressed up streets, intersections, and pedestrian walkways which demonstrate pride in the community, it is the right thing to do for an area that is extremely important to the entire City of Roanoke, and the area represents the City's front door and showplace. He advised that representatives of Downtown Roanoke, Inc., will appear before Council in the near future to discuss similar treatments for other streets in the City Market area.

Mr. Peter Clapsaddle, 306 Market Street, S. W., architect for a proposed new project at the corner of Market Street and Kirk Avenue, expressed support of the recommendation of the Architectural Review Board to enable pavement on both sides of the street to be consistent.

The Mayor advised that without objection by Council, the matter would be referred to the City Manager for report.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

SWIMMING POOLS-LEASES: Ordinance No. 35977, authorizing the proper City officials to enter into a Deed of Lease Extension between the City of Roanoke and Roanoke Valley Swimming, Inc., for the lease and operation of certain City-owned property known as the Gator Aquatic Center, having previously been before the Council for its first reading on July 15, 2002, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final and adoption:

(#35977-080502) AN ORDINANCE authorizing the proper City officials to enter into a Deed of Lease Extension between the City of Roanoke and Roanoke Valley Swimming, Inc., for the lease and operation of certain City-owned property known as the Gator Aquatic Center, upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 66, page 296.)

The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ACTS OF ACKNOWLEDGMENT-OUTDOOR DINING: Council Member Carder commended City staff for their efforts in connection with establishing outdoor dining for the City of Roanoke.

COMMUNITY PLANNING-NORFOLK SOUTHERN CORPORATION-HOTEL ROANOKE CONFERENCE CENTER-STREETS AND ALLEYS: Council Member Carder requested that Council discuss the feasibility of reopening Jefferson Street to vehicular/pedestrian traffic at its August 13, 2002 Planning Retreat. He pointed out that Norfolk/Southern closed the Jefferson pedestrian crossover at about the same time that the walkway was opened to the Hotel Roanoke and Conference Center.

NEIGHBORHOOD ORGANIZATIONS-COMMUNITY PLANNING-STREETS AND ALLEYS: Council Member Carder referred to the City's Comprehensive Plan as it relates to traffic issues/traffic calming, versus traffic moving expeditiously from one point to another throughout the City. He stated that the Comprehensive Plan should be the vision by which Council bases its decisions as a City Council and the ruler by which all decisions are made by City staff and management. As a part of Council's Planning Retreat on August 13, 2002, he requested that Council discuss the matter of neighborhood streets and "workhorse streets". He referred to the Bullitt/Jamison neighborhood where residents have requested two-way streets, and advised that streets running through neighborhoods should be pedestrian friendly.

ACTS OF ACKNOWLEDGMENT-GRANDIN THEATER: Council Member Cutler congratulated the Grandin Theatre Foundation on raising over \$1 million toward the reopening of the Grandin Theater in the fall of 2002.

ACTS OF ACKNOWLEDGMENT-WATER RESOURCES: Council Member Cutler commended the efforts of a number of persons who were involved in bringing the temporary Crystal Spring water supply on line as expeditiously as possible, and requested that appreciation be expressed to those individuals at a future City Council meeting.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

STREETS AND ALLEYS: Mr. Fred Flowers, 3207 White Oak Road, S. W., spoke with regard to a request of Structures Design/Build, LLC, for closure of a portion of the Franklin Road right- of-way to facilitate development of a 3.5 acre strip of land lying between Franklin Road and residential property on White Oak Road. He advised that Council at its meeting on Monday, July 15, 2002, referred the request to the City Manager to address issues regarding pricing and language relative to the degree of the cut of the land. He stated that Council was previously advised that commercial development of the land is inevitable, however, Council was desirous of minimizing the environmental impacts of development. He stated that residents of White Oak Road believe that there is a viable alternative to development of the land, and they propose to purchase the 3.5 acres jointly and immediately donate the land to the City of Roanoke for use as permanent green space. He stated that price has been discussed in broad terms with the current land owner, and he has secured financial commitments from most of the residents adjoining the property; however, the only obstacle is that Structures/Design Build has a contract to purchase the 3.5 acres, subject to contingencies affecting the economic feasibility of this project. He added that should Council grant or sell the excess Franklin Road right-of-way to Structures Design/Build, economic feasibility of this commercial development project will be enhanced, most likely killing any opportunity by residents to preserve the land in its present state. He explained that because the land is too narrow, too steep and too expensive, it has not previously been developed, and asked that Council deny the request of Structures Design/Build in the hopes that the City will not provide the economic stimulus that the company needs to proceed with development.

Mr. James Mullitt, 3227 White Oak Road, S. W., advised that concerned citizens request that Council carefully consider the proposed removal of a green area along Franklin Road that is for sale, contingent upon Council's action to sell the right-of-way, which will cause development of the property to be more economically feasible. He called attention to instances in the City of Roanoke where hillsides were bulldozed in order to make room for development which have turned out to be eye sores, and the term "strip mining" seems appropriate for the area under consideration. He stated that while the property is zoned commercial, it borders 12 backyards, and an entire neighborhood would be dramatically effected if such a "strip mining" process were to occur. He added that careful consideration of the impact of development is in order, such as safety of children should a steep grade be present, possible erosion, the foundations of aging homes should blasting be required, and a proposal to block the streams flowing through the area. He stated that a vote to give or sell the land to the developer is a vote by Council to remove green areas; and residents look to the Members of Council for the leadership to find an alternative that will bring about the correct solution.

Mr. William Jappich, 3215 White Oak Road, S. W., expressed concern about development of the property. He stated that the City Planning Commission voted unanimously to deny the request, and asked that Council take into consideration the recommendation of the Planning Commission when it makes its decision.

COMPLAINTS-TAXES-CITY COUNCIL-CITY EMPLOYEES: Mr. Robert Gravely, 617 Hanover Avenue, N. W., addressed Council in connection with insufficient wages for the City's work force, deteriorating housing stock in the City of Roanoke, and favoritism by Council and the City administration of business over the average citizen. He alleged taxation without representation, misuse of power, and obstruction of justice.

CITY MANAGER COMMENTS:

GRANTS-WATER RESOURCES: The City Manager referred to a grant application approved earlier in the Council meeting with regard to additional security measures for the City's water systems, which is one of two grants that the City has received as a result of the contract with The Randall Corporation to prepare grant writing applications that enabled the City of Roanoke to receive at least \$1 million in grants. She reported that with the two grants that were recently approved, The Randall Corporation has more than paid for its two year contract rate and will continue to apply for various grants on behalf of the City.

REGIONAL CHAMBER OF COMMERCE-COMMUNITY PLANNING-ECONOMIC DEVELOPMENT: The City Manager expressed appreciation that Members of Council have recently given credence to the importance of the City's Comprehensive Plan and the need for the Comprehensive Plan to serve as the City's future vision. During the Council's Planning Retreat on August 13, she requested that Council use the Comprehensive Plan as a guiding tool for prioritizing activities of City staff over the next several years. She further advised that the Regional Economic Development Strategy, which was approved earlier in the meeting and involved regional cooperation by the public and private sectors, should also serve as a guiding tool for the future. She stated that the proof of both plans is in their implementation, and encouraged Council to hold up the two documents to City staff to ensure that the City is on a course of action that will take the Roanoke community and the Roanoke Valley to greatness.

At 3:45 p.m., the Mayor declared the meeting in recess for one Closed Session.

At 4:35 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

SCHOOLS: Mr. Harris moved that those persons (Edna Crabbere, David Dabay, F. B. Webster Day, John W. Elliott, Jr., and William H. Lindsey), who applied for a vacancy on the Roanoke City School Board created by the resignation of Sherman P. Lea, also be considered for purposes of the public hearing on the vacancy created by the resignation of William E. Skeen, pursuant to those persons granting permission via contact by the City Clerk's Office. The motion was seconded by Mr. Carder and unanimously adopted.

ZONING-COMMITTEES: The Mayor advised that pursuant to Ordinance No. 35953 adopted by Council on June 17, 2002, membership of the Board of Zoning Appeals was increased from five to seven; whereupon, he opened the floor for nominations to fill the vacancies.

Mr. Carder placed in nomination the name of Diana B. Sheppard.

There being no further nominations, Ms. Sheppard was appointed as a member of the Board of Zoning Appeals, for a term ending December 31, 2005, by the following vote:

FOR MS. SHEPPARD: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

COMMITTEES-TRANSPORTATION SAFETY: The Mayor advised that there is a vacancy on the City of Roanoke Transportation Safety Commission, and called for nominations to fill the vacancy.

Mr. Bestpitch placed in nomination the name of Ann F. Harmon.

There being no further nominations, Ms. Harmon was appointed as a member of the City of Roanoke Transportation Safety Commission, for a term ending October 31, 2004, by the following vote:

FOR MS. HARMON: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

Mr. Bestpitch moved that the City residency requirement be waived in this instance. The motion was seconded by Mr. Carder and unanimously adopted.

COMMITTEES-YOUTH: The Mayor called attention to vacancies on the Youth Services Citizen Board; whereupon, he opened the floor for nominations to fill the vacancies.

Mr. Carder placed in nomination the name of Abbi Fitzpatrick, Lylburn D. Moore, Jr., and Cheryl D. Evans.

There being no further nominations, Ms. Fitzpatrick and Mr. Moore were appointed for terms ending May 31, 2005, and Ms. Evans was appointed for a term ending May 31, 2003, as members of the Youth Services Citizen Board, by the following vote:

FOR MS. FITZPATRICK, MS. EVANS AND MR. MOORE: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

HOUSING/AUTHORITY-COMMITTEES: The Mayor advised that the terms of office of Christie L. Meredith and Beverly T. Fitzpatrick, Jr., as Commissioners of the Roanoke Redevelopment and Housing Authority will expire on August 31, 2002, and called for nominations to fill the vacancies.

Mr. Harris placed in nomination the names of Christie L. Meredith and Beverly T. Fitzpatrick, Jr.

There being no further nominations, Ms. Meredith and Mr. Fitzpatrick were reappointed as Commissioners of the Roanoke Redevelopment and Housing Authority, for terms ending August 31, 2006, by the following vote:

FOR MS. MEREDITH AND MR. FITZPATRICK: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

COMMITTEES-SCHOOLS: The Mayor advised that the term of office of Margaret M. Grayson as a member of the Virginia Western Community College, Board of Directors, expired on June 30, 2002, and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Barry W. Baird.

There being no further nominations, Mr. Baird was appointed as a member of the Virginia Western Community College, Board of Directors, for a term ending June 30, 2006, by the following vote:

FOR MR. BAIRD: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

At 4:40 p.m., the Mayor declared the meeting in recess to be reconvened on Tuesday, August 13, 2002, at 9:00 a.m., in the Executive Board Room at Bernard's Landing Resort and Conference Center, 775 Ashmeade Road, Moneta, Virginia, for City Council's Planning Retreat. (The Council's Planning Retreat was postponed until a later date.)

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor
